

Under Idaho law,

<sup>1</sup> *Mulford v. Union Pacific Railroad*, 321 P.3d 684, 691 (Idaho 2014) (citation and internal quotation omitted).

Accordingly, any evidence regarding collateral source payments will be prohibited at trial. However, if Plaintiff opens the door to discussion of these issues, Defendant may use evidence of collateral source payments as impeachment evidence.

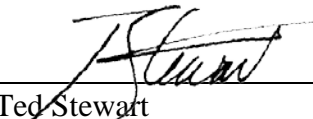
Finally, in his Response to Plaintiff's Motion, Defendant requests he be allowed to subpoena relevant billing and payment records from CIGNA. Under Fed. R. Civ. P. 45, attorneys have subpoena power. If Defendant believes he needs a court order to obtain certain documents, he must submit an appropriate motion.

It is therefore

ORDERED that Plaintiff's Motion in Limine (Docket No. 71) is granted in part and denied in part.

DATED this 24<sup>th</sup> day of August, 2015.

BY THE COURT:



---

Ted Stewart  
United States District Judge